

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

COMMISSIONS – Commission of Inquiry under Commissions of Inquiry Act, 1952 (Central Act 60 of 1952) to inquire into the incident that lead to opening of fire by Police on 18-5-2007 near Mecca Masjid, Hyderabad -Appointment of Justice Sri V. Bhaskara Rao, Retired High Court Judge as Commission of Inquiry – Payment of remuneration – Orders – Issued.

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GENERAL ADMINISTRATION (L&O.1) DEPARTMENT

G.O. Rt. No. 1518

Dated:02-4-2012

Read the following:-

1. G.O.Ms.No. 391, G.A. (L&O.1) Dept., Dated 2-6-2007.
2. G.O. Rt.No. 6249, G.A. (L&O.I)Dept., Dated 6-10-2007.
3. From Justice V. Bhaskara Rao, Retired Judge, High Court of Andhra Pradesh, Hyderabad Letter dated 9-7-2011, 15-9-2011.

In the G.O. first read above, orders were issued appointing Justice Sri V.Bhaskara Rao, Retired Judge, High Court of Andhra Pradesh, as Commission of Inquiry to inquire into the incident that lead to opening of fire by Police on 18-5-2007 near Mecca Masjid, Hyderabad and to submit report of Inquiry within a period of three months from the date of assumption of charge.

2. In the G.O. second read above, sanction was accorded for payment of Rs. 1.00 lakh (Rupees one Lakh Only) to Justice Sri V. Bhaskara Rao, Commission of Inquiry towards a lump sum remuneration for the entire period of the Commission and extended the following facilities / sanction as a lump-sum to the COI for the entire period of the Commission:

- i) Rs.40,000/- towards office expenses which will be subject to adjustment at the end of the term of the Commission of Inquiry;
- ii) A retired judicial officer as Secretary to Commission at a consolidated remuneration of Rs.50,000/-;
- iii) A Presenting Officer at a consolidated remuneration of Rs.25,000/-;
- iv) A consolidated amount of Rs.42,000/- towards hiring of Car; &
- v) The A.P.T.S. shall arrange one hired P.C. of appropriate configuration along with a Data Entry Operator and the cost will be borne by the Government.

3. Justice Sri V. Bhaskara Rao, in his representation 3rd read above has stated that the functioning of the Commission was impaired for several reasons viz., disturbances continuously subsequent to opening of fire, and for some time the minority organizations boycotted the enquiry. Thus there was tough time for him, local police as well as his staff to mollify the agitating crowds and at last they were able to convince them. Boycotting the proceedings and non-cooperation of some of the witnesses who had appeared for Chief examination and thereafter disappeared and did not make themselves available for cross examination for a long time. He has also stated that he had collected voluminous evidence, both, oral and documentary on record. He has further stated that since the term of the Commission was initially fixed for three months, the amounts sanctioned can be said to have been sanctioned for a period of three months. However, as the term of the Commission has been extended from time to time, the above figures may have to be applied to the tenure of the Commission in its entirety, by adopting quarter wise calculations. The COI has not claimed anything towards consolidated remuneration to the retired judicial officer as Secretary to Commission, as the judicial officer left the service half-way through. The COI has also not claimed anything towards consolidated remuneration to the Presenting Officer, as the Presenting Officer worked at the request of the Commissioner of Police, Hyderabad. He has requested the Government to sanction an amount of Rs.53,48,000/-, towards remuneration, office expenses and hire charges as follows on par with Justice I.Pandu Ranga Rao, Justice Venkatarami Reddy and Justice P. Ramakrishnam Raju, who headed similar Commissions of Inquiry.

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Office expenses: The COI has requested to reimburse the amount paid by him to Sri Mallikarjuna Rao, a retired employee of Secretariat, who worked as his P.A. and Sri J.Fransis, a retired Court Master of HC of AP, who worked as Stenographer. @ Rs.40,000/- per quarter for three and half years.	Rs.5,60,000/-
Hire charges of vehicle: The COI has stated that he has used his personal vehicle-Innova. Hence, requested to reimburse the hire charges. @ Rs.14,000/- per month for 42 months on par with other officers of the State Government.	Rs.5,88,000/-
Remuneration: @ Rs.1.00 lakh salary per month, as was paid to Justice I.Pandu Ranga Rao, Justice A. Venkatarami Reddy and Justice P.Ramakrishnam Raju, who headed similar Commissions of Inquiry.	Rs.42,00,000/-
TOTAL CLAIM: (Rupees Fifty Three Lakh Forty Eight thousand only)	Rs.53,48,000/-

4. Government, after careful examination of the matter hereby accord sanction for payment of Rs.13,47,667/- (Rupees Thirteen Lakhs Forty Seven Thousand Six hundred and Sixty Seven Only) as detailed below to Justice Sri V. Bhaskara Rao Commission of Inquiry for the period from 7-6-2007 to 6-11-2009 (29 months) in relaxation of orders issued in G.O.Ms.No. 278, General Administration (L&O.I) Department, Dated 25-7-2000 and in partial modification of orders issued in G.O.Rt. No. 6249, General Administration (L&O.I) Dept., Dated 6-10-2007.

Remuneration @ Rs.1,00,000/- for each 3 months period (i.e., Rs.33,333-33 ps. per month)	Rs.33,333-33 ps. x 29 months	Rs. 9,66,667-00 ps.
Hire charges of car @ Rs.42,000/- for each 3 months period (i.e., Rs.14,000/- per month)	Rs.14,000-00 ps x 29 months	Rs. 4,06,000-00 ps.
Office expenses sanctioned		Rs. 40,000-00 ps.
Total		Rs. 14,12,667-00 ps.
LESS: Amount already paid		(-) Rs. 65,000-00 ps.
TOTAL (Rupees Thirteen Lakh Forty Seven Thousand Six Hundred and Sixty Seven only)		Rs. 13,47,667-00 ps.

5. Justice V. Bhaskara Rao Commission of Inquiry is informed that as per the conditions laid down in the extension of term orders the COI is not entitled for salary, perks & other financial benefits for the period from 7-11-2009 to 16-10-2010 (9 months 10 days). Justice Sri V. Bhaskara Rao, Retired Judge of High Court of A.P. is requested to furnish the expenditure particulars of office expenses as instructed in G.O.Rt.No. 6249, G.A. (L&O.I) Dept., Dated 6-10-2007.

6. The expenditure shall be debited to "MH -2052 Secretariat – General Services – MH -090 Secretariat, SH (04) -General Administration Department – 280 Professional Services – 284 Other Payments".

7. The General Administration (Claims.C) Department shall draw and disburse the amount sanctioned in Para- 4 above to the Commission of Inquiry.

8. This order issues with the concurrence of Finance Department vide their U.O. No. 1447/35/Expr.GAD.I/12, Dated 27-3-2012.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

AJAY MISRA
PRINCIPAL SECRETARY TO GOVERNMENT (POLL)

To
Justice Sri V. Bhaskara Rao, Retired Judge,
H.No. 17-127/145, East Kalyanpuri, Uppal,
Hyderabad – 500 039.
The General Administration (Claims.C) Department (3 copies)
Copy to :-
The Finance (Expr.GAD.1/ BG.I) Department.
The Dy. Pay & Accounts Officer, Secretariat Branch, Hyderabad.
SF/SC.

// Forwarded By Order //

SECTION OFFICER (SC)